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PTO/SB/05 (03-01)

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<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>	Attorney Docket No.	7853-267	Total Pages	60
	First Named Inventor or Application Identifier			
	Kroczek			
	Express Mail Label No.	EV 335 856 539 US		

<b>APPLICATION ELEMENTS</b> <i>See MPEP chapters 600 concerning utility patent application contents.</i>	<b>Address to:</b> <b>Commissioner for Patents</b> <b>P.O. Box 1450</b> <b>Mail Stop PATENT APPLICATION</b> <b>Alexandria, VA 22313-1450</b>
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<p>1. <input checked="" type="checkbox"/> Fee Transmittal Form [Total Pages 4] <i>(Submit an original, and a duplicate for fee processing)</i></p> <p>2. <input type="checkbox"/> Applicant claims Small Entity status, see 37 C.F.R. § 1.27</p> <p>3. <input checked="" type="checkbox"/> Specification [Total Pages 30] <i>(preferred arrangement set forth below, MPEP 1503.01)</i> - Descriptive title of the Invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R&amp;D - Reference to Microfiche Appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description of the Invention (including drawings, if filed) - Claim(s) - Abstract of the Disclosure</p> <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) [Total Sheets 17]</p> <p>5. <input checked="" type="checkbox"/> Oath or Declaration [Total Sheets 2] a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from prior application no. 09/509,283 (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i> i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p>	<p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)</p> <p>8. <input checked="" type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i> a. <input type="checkbox"/> Computer Readable Form (CRF) b. <input checked="" type="checkbox"/> Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input checked="" type="checkbox"/> paper [Total Pages 4] c. <input checked="" type="checkbox"/> Statement verifying identity of above copies</p>
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<b>ACCOMPANYING APPLICATION PARTS</b>
9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))
10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney <i>(when there is an assignee)</i>
11. <input type="checkbox"/> English Translation Document (if applicable)
12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations
13. <input type="checkbox"/> Preliminary Amendment
14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i>
15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i>
16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(i). Applicant must attach form PTO/SB/35 or it's equivalent
17. <input checked="" type="checkbox"/> Other: Revocation and Power of Attorney [Total Pages 3]

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/509,283 filed August 11, 2000.

Prior application information: Examiner: Roark, J. Group Art Unit: 1644

**For CONTINUATION OR DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

<input checked="" type="checkbox"/> Customer Number 20583 <i>Insert Customer No. or Attach bar code label here)</i>		<input type="checkbox"/> Correspondence address below	
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The PTO did not receive the following  
listed item(s) pt 11/17 of Drawing

NY2: 1458389.1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Prior application: Examiner Roark, J.Art Unit 1644

Commissioner for Patents  
P.O. Box 1450  
Mail Stop PATENT APPLICATION  
Alexandria, VA 22313-1450

Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR § 1.53(b), of pending prior application no. 09/509,283 filed on August 11, 2000

of Richard Kroczek

(inventor(s) currently of record in prior application)

for Costimulating Polypeptide of T Cells, Monoclonal Antibodies, And the Preparation and Use Thereof

(title of invention)

1. ☒ The filing fee is calculated below:

**PATENT APPLICATION FEE VALUE**

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	76	- 20	56	\$18.00 each	\$ 1008.00
Independent	6	- 3	3	\$84.00 each	\$ 252.00
Minimum Fee					\$ 750.00
Multiple Dependency Fee					
If Applicable (\$280.00)					\$ 0.00
<b>Total</b>					\$ 2010.00
Applicant qualifies for the 50% Reduction for Independent					
Inventor, Nonprofit Organization or Small Business Concern					\$ 0.00
<b>Total Filing Fee</b>					\$ 2010.00

2. ☐ Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.
3. ☐ Amend the specification by inserting before the first line the following sentence: This is a continuation, division, of application no. , filed .
- 4a. ☐ New formal drawings are enclosed.
- 4b. ☒ Informal drawings are enclosed.
- 5a. ☒ Priority of application no. 09/509,283 filed on August 11, 2000 is claimed under 35 U.S.C. §119.
- 5b. ☐ The certified copy has been filed in prior application no. , filed .

6. ☐ The prior application is assigned of record to .
- 7a. ☒ A copy of the Revocation and Power of Attorney filed in the prior application no. 09/509,283, filed December 7, 2000, is enclosed.
- 7b. ☐ A Power of Attorney is enclosed.
8. ☒ This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR §§1.821-1.825. It is requested that the Sequence Listing in computer readable form from prior application no. 09/509,283 filed on April 19, 2002 be made a part of the present application as provided for by 37 C.F.R. §1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the paper Sequence Listing from application no. is enclosed.
9. ☒ The undersigned states, under 37 C.F.R. §1.821(f), that the content of the enclosed paper Sequence Listing from application no. 09/509,293 is the same as the content of the computer readable form submitted on April 19, 2002 in application no. 09/509,283.
10. ☐ DO NOT PUBLISH. I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).
11. ☐ Additional enclosures or instruction

Respectfully submitted,

Date August 22, 2003

Nikolaos C. George 39,201  
Nikolaos C. George (Reg. No.)

By:

Muna Abu-Shaar  
Muna Abu-Shaar  
Limited Recognition Under 37 C.F.R. § 10.9(b)  
Copy of Certificate enclosed

PENNIE & EDMONDS LLP  
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New York, New York 10036-2711  
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